

REMARKS/ARGUMENTS

The Double Patenting Rejections

Claims 1-11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9, 11 and 15-20 or copending Application No. 10/031,792. Applicants request that this rejection be held in abeyance until one of the applications issues.

The 112 Rejections

Claims 1-11 were rejected under 35 U.S.C. 112, second paragraph, because independent claim 1 disclosed variables that were not present in Formula I. Applicants have amended independent claim 1 to remove the variables that are not present in the claim.

Claims 1-11 were also rejected under 35 U.S.C. 112, second paragraph, as allegedly being unclear due to the use of the phrases 'electrophilic or nucleophilic moiety', 'biological carrier', 'synthetic linker', 'precursor thereof' and 'Cyc represents a cyclic ... which do not interfere with binding to a biological carrier'. Claims 1, 5 and 6 have been amended to more clearly define these phrases.

Claim 5, lines 34-42 and claim 6, lines 35-43, were also rejected under 35 U.S.C. 112, second paragraph, as allegedly being unclear due to the use of the phrases 'electrophilic or nucleophilic moiety', 'biological carrier', 'synthetic linker', 'precursor thereof' and 'Cyc represents a cyclic ... which do not interfere with binding to a biological carrier'. Claims 5 and 6 have been amended to more clearly define these phrases.

The Objection Regarding the Abstract

The Examiner objected to the abstract because it was too long. Applicants have replaced the previous abstract with a shorter abstract.

Conclusion

Based on the foregoing amendments and remarks, Applicants believe the present application now stands in condition for allowance. Early notification thereof is respectfully requested.

Respectfully submitted,


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